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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 SKEETER TIMOTHY MANOS,

14 Defendant.  
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CASE NO. CR12-5091RJB

ORDER DENYING DEFENDANT'S  
RENEWED MOTION FOR  
JUDICIAL RECOMMENDATIO OF  
CONCURRENT SENTENCE

16 This matter comes before the court on the above-referenced motion (Dkt. 36). The court  
17 is familiar with the records and files herein and documents filed in support of and in opposition  
18 to the motion. For the following reasons, the motion should be denied.

19 Regardless of the questionable legal authority to modify the court's judgment as set forth  
20 in the United States' Response to Defendant's Renewed Motion (Dkt. 37), it appears to the court  
21 that, on its merits, the motion should be denied.

22 This court sentenced Mr. Manos to what the court believes is an appropriate sentence.  
23 He was then charged with separate state crimes and, in separate state proceedings, he was  
24 sentenced by a state judge. That judge declined to make his state sentence concurrent with the

1 federal sentence. For the federal court to now provide that the defendant's state sentence should  
2 be served concurrently with the federal sentence would be to, in effect, reverse the state judge's  
3 decision. That is not called for and would be a bad practice. The state judge's decision should  
4 be given "full faith and credit" in this court.

5 Furthermore, the federal and state prosecutions, though on the same subject matter, were  
6 for different crimes, and the sentences should not be served concurrently, unless the judge  
7 imposing the second sentence felt that the his sentence should run concurrent with the first  
8 sentence imposed.

9 The information provided by the government regarding restitution is not something that  
10 the court should now consider in determining the issue at hand.

11 Defendant's Renewed Motion for Judicial Recommendation of Concurrent Sentence  
12 should be, and hereby is, DENIED.

13 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
14 to any party appearing *pro se* at said party's last known address.

15 Dated this 17<sup>th</sup> day of June, 2013.

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18 ROBERT J. BRYAN  
19 United States District Judge  
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